

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LINTON WAYNE WILKINS : Civil No. 1:17-cv-2354

Petitioner, :

v. :

CLAIR DOLL, *et al.*, :

Respondents. : Judge Sylvia H. Rambo

**O R D E R**

Presently before the court is a report and recommendation of the magistrate judge in which he recommends that the court order an individualized bond hearing for the petitioner to be conducted before an Immigration Judge within 30 days. (Doc. 9.) A joint notice was filed indicating that neither party objects to the magistrate judge's report and recommendation. (Doc. 10.)

Accordingly, **IT IS HEREBY ORDERED AS FOLLOWS:**

- 1) The report and recommendation of the magistrate judge is **ADOPTED**.
- 2) The petition for writ of habeas corpus is **GRANTED**.
- 3) An individualized bond hearing shall be held within 30 days in accordance with the dictates of the United States Court of Appeals in *Chavez-Alvarez v. Warden York Cnty. Prison*, 783 F.3d 469, 478 (3d Cir. 2015).
- 4) The parties shall report to the District Court on the outcome of the individualized bond determination no later than **three (3) days** after the immigration judge's hearing;
- 5) If the immigration judge does not hold an individualized bond hearing consistent with the legal benchmarks outlined in the report and

recommendation, the District Court may consider conducting its own bond determination, under the standards governing bail in habeas corpus proceedings, at a date and location to be determined.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: March 19, 2018